



Statewide Ethics Training Compliance Report

2023 Annual Report
With Quarterly Reports
for
Fourth Calendar Quarter 2023
and
First Calendar Quarter 2024

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April 30, 2024

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Hon. Carl E. Heastie
Speaker of the Assembly
LOB, Rm. 932
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Hon. Robert G. Ort
Senate Minority Leader
The Capitol, Rm. 315
Albany, NY 12247

Dear Governor Hochul and Legislative Leaders:

On behalf of the Commissioners and staff of the New York State Commission on Ethics and Lobbying in Government, I am pleased to present you with the attached Annual Report for calendar year 2023 and Reports for the fourth calendar quarter of 2023 and first calendar quarter of 2024, together with aggregate statistics showing participation by each State agency in mandated ethics training. Also included is a summary of the steps being taken to

address and meet the requirements of the Ethics Commission Reform Act for workforce- and leadership-wide ethics training for the State's Executive and Legislative branches.

Respectfully,

A handwritten signature in blue ink, appearing to read 'Sanford N. Berland', with a stylized flourish at the end.

Sanford N. Berland
Executive Director

Copy to Frederick A. Davie, Chair



STATEWIDE ETHICS TRAINING COMPLIANCE REPORT

The Ethics Commission Reform Act of 2022 (ECRA) mandates that all executive branch state officers and employees – approximately 330,000 individuals – receive ethics training every year by attending live comprehensive ethics training biennially and taking online ethics refresher training in the intervening years. Prior to July 8, 2022, the Public Integrity Reform Act of 2011 (PIRA) mandated live ethics training for a significantly smaller population of approximately 30,000 Financial Disclosure Statement filers triennially. The Commission on Ethics and Lobbying in Government (“COELIG,” or “the Commission”) is the first state ethics commission in the nation that is required to implement and oversee a program of mandated live ethics training for its entire State workforce.

The expansion of mandatory ethics training ensures that all State employees are aware of their obligations under the ethics laws and directly aligns with the Commission’s mandate to foster public trust in government. ECRA provides a degree of flexibility to agency ethics officers and trainers in delivering the Comprehensive Ethics Training Course (CETC). The CETC remains a live instructor-led course that can now be provided to employees in person or utilizing remote technology. In addition, all new executive and legislative branch hires are required to take the CETC within 90 days of commencing employment, ensuring individuals are promptly provided with the training needed to ensure they comply with the State’s ethics laws.

Statewide Ethics Training Mandate

Pursuant to Section 94(8) of the Executive Law, the Commission is required to establish a training unit and to administer the Statewide ethics training program. In addition, COELIG must determine State agencies' compliance with the training requirements by reporting aggregate statistics on participation in ethics training on a quarterly basis to the Governor and the Legislature in writing, in coordination with the Legislative Ethics Commission (LEC), and in more detail annually.

Statewide Ethics Training Application ('SETA') Initiative

Executive Law Section 94(8)(f) requires COELIG to provide aggregate statistics regarding participation in ethics training on a quarterly basis to the Governor and the Legislature. In conjunction with the New York State Office of Information Technology Services (ITS), the Education Unit launched an online application for agencies to track, record and report these aggregate quarterly training statistics. This application eliminated labor-intensive information-gathering and reporting methods by both COELIG staff and agency ethics officers and contacts.

SETA | Phase 1 application updates

Phase 1 of the Statewide Ethics Training Application ('SETA') launched on February 7, 2024. Since its initial launch, there are over 280 agency users, including Ethics Officers, Training Compliance Officers and Agency Contacts, actively utilizing the application. Through the application, the COELIG Training Team has been able to gather more specific information with respect to the makeup of agencies statewide and live-training delivery efforts – providing the Training Team with better metrics for targeted outreach efforts.

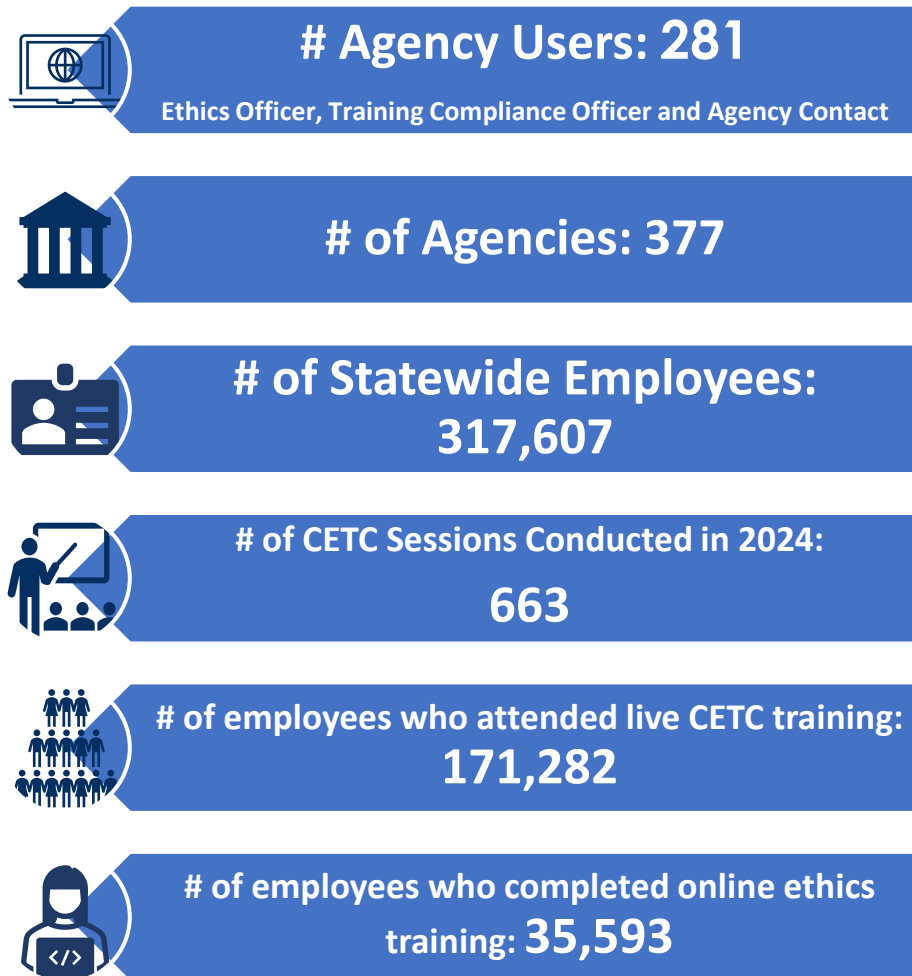
SETA | Phase 2 application updates

In addition, the Commission provided for the supplementation of our ITS partner's staffing to assist in designing, developing and implementing a robust and comprehensive statewide ethics training, scheduling and tracking system that, when completed, will identify, schedule, and track ethics training compliance across the 377 departments, authorities, commissions and agencies that make up the State's Executive branch. Development of the system is far

along, and quality assurance testing will soon begin, with the system’s launch now planned for June 2024.

SETA | Current Metrics

Information as reported by Ethics Officers, Training Compliance Officers and Agency Contacts utilizing the Statewide Ethics Training Application and email — from July 8, 2022 through April 29, 2024.



SETA | 2024 First Quarter Statewide Agency Participation

The below information includes ethics training information from the first quarter of calendar year 2024, beginning January 1, 2024 through March 31, 2024. Data is compiled from the

Statewide Ethics Training Application and the Statewide Learning Management System ('SLMS') as of April 29, 2024.

Statewide Agency Information	
Total Number of Statewide Agencies:	377
Total Number of Reporting Statewide Agencies:	188
Total Number of Statewide Parent Agencies:	25
Total Number of Statewide Subsidiary Agencies:	189
Agency Compliance Information	
Total Number of Agencies Reporting Quarter 1 Training Statistics:	167
Total Number of Agencies with Partial Training Statistics:	6
Total Number of Agencies with Outstanding Training Statistics:	15
Statewide Ethics Training Information	
Total Number of Statewide Employees:	317,607
Total Number of CETC Sessions Conducted:	663
Total Number of Employees who Completed Instructor-Led CETC:	15,113
Total Number of Employees who Completed On-Demand CETC:	25,650
Combined Total of Instructor-Led and On-Demand CETC:	40,763

COELIG Training Team Accomplishments

On-Demand CETC

On October 17, 2023, the Commission made available an online On-Demand CETC to ensure that all State employees are trained in the ethics laws that apply to them and to provide an interim tool to agency ethics officers and training staff who are in the process of developing the capability to provide live CETC training to their entire complements of officers and employees. The On-Demand CETC is available on the Statewide Learning Management System and is also disseminated directly to every agency that maintains a dedicated learning management system. The On-Demand CETC satisfies the statutory Ethics Refresher requirement for individuals who have already attended a live CETC. In 2023, over 12,000

employees completed the online training program. As of April 2024, a total of over 43,000 employees have completed the online training program since its initial launch, and an additional 24,000 employees have enrolled in and are expected to complete the online training program in the coming months.

Training Innovations in 2023

Streamlined Course Administration and Increased Training Opportunities

An increase in training staff provided opportunities for the COELIG Training Team to reimagine the live training requirement to allow flexibility in our course offerings by providing agency specific trainings in addition to the open live training sessions. Open training sessions allow officers and employees from any agency to receive live ethics training from COELIG training staff, while agency-specific training sessions provide agency ethics officers the opportunity to collaborate with the COELIG training team to customize the ethics training program in order to discuss agency-specific ethics policies and requirements and to train large numbers of employees from their respective agencies. The increase in staff has allowed COELIG to significantly expand its own internal training sessions, now providing four classes every week. From January 1, 2023— March 31, 2024, the Education Unit has provided 51 sessions—training 4,881 employees.

The training unit now utilizes Google forms to streamline the enrollment process and provide better metrics on the overall effectiveness of training through a Google form course evaluation. In addition, agency ethics officers and training compliance officers are using Google calendars to reserve agency specific trainings with the COELIG Training Team, providing them with the opportunity to have COELIG trainers provide live interactive, quality training to their agency employees.

In order to achieve the phased-in delivery of annual live and online ethics training to the entire State workforce in a two-year cycle, the Commission has approved the following

Recommended Training Schedule for Calendar years 2023 through 2025:

	On Demand CETC	Live CETC	Ethics Refresher
New Employees	Complete the on-demand CETC or live CETC within 90 days*	Attend a live CETC on or before December 31, 2024	Complete Refresher Training on or before December 31, 2025**
Existing FDS Filers who have completed a live CETC or live Ethics Seminar in 2022 or 2023	The on-demand CETC satisfies the Ethics Refresher Requirement for FDS Filers and non-FDS state employees who have already attended a LIVE CETC course.		If live CETC taken in 2022 – Ethics Refresher required on or before December 31, 2023** If live CETC taken in 2023 – Ethics Refresher required on or before December 31, 2024**
Existing FDS and Non-FDS Employees who have <u>not</u> received any ethics training	Complete the on-demand CETC or live CETC within 90 days or before December 31, 2023	Attend a live CETC on or before December 31, 2024	Complete Refresher Training on or before December 31, 2025**

* Agency Ethics Officers and Agency Trainers who are able to enroll new employees (FDS and non-FDS) in a live CETC session on or before December 31, 2023 may elect to have their employees attend a live CETC course in lieu of the on-demand CETC.

** The on-demand CETC satisfies the Ethics Refresher Requirement for FDS Filers and non-FDS state employees who have previously attended a live CETC course.

The Commission is well on its way in meeting this goal as 168,526 employees completed the on-demand or live ethics training from the inception of the training requirement through December 31, 2023—approximately half of the State workforce.

Outreach Efforts

ECRA mandates that the Commission provide and administer an online live question and answer course to the more than 167 agency ethics officers who represent the nearly 400 state agencies, public authorities, commissions, councils, and boards (collectively known in the law as “State agencies”).

The Education Unit conducted two statewide Ethics Officer Forums during 2023, providing the Education Unit and partner agencies with the opportunity to discuss unique challenges presented by the expanded training initiative. The Training Unit also conducts monthly agency specific outreach meetings with various agencies. Further, the Unit surveyed the Ethics Officer community in early 2024, requesting agency-specific information to gauge the effectiveness of COELIG’s training program since its’ statewide expansion. These outreach sessions, coupled with nearly 90 survey responses, have been just a few of the several measures taken allowing the Unit to stay responsive and engaged with the regulated community.

In addition, since the start of 2024, the Unit has held ongoing agency-specific training sessions to assist in bringing those agencies with low training completion statistics into compliance. As of March 31, 2024, the Education Unit has trained 1,251 employees in the agency-specific sessions alone.

Staffing Update

The Commission’s Education Unit currently consists of the Director of Ethics, the Deputy Director of Education, the Deputy Director of Learning Innovation, and three Training Associates, reporting to the Executive Director. COELIG is in the process of recruiting a Training Assistant to handle the Unit’s administrative functions and plans to expand its staffing further in 2024.



2023 Year-in-Review and Fourth Quarter Statistics

Members and employees of the Legislature are also required to complete ethics training pursuant to Executive Law § 94(8) and Legislative Law § 80. The LEC developed and fully implemented an online ethics orientation course, which all new legislative employees are required to complete within three months of hire and provides training for legislative fellows and interns as well.

The Legislature has fully implemented the new training requirements for 2023, including the requirement for live in-person or live on-line training and the requirement that such training be completed within ninety days of employees commencing employment or legislators being sworn into office.

All Senators and Members of the Assembly completed their training for 2023. Nearly all legislative employees, approximately 95% overall, completed ethics training in 2023. Additionally, although no longer mandatory, 730 new legislative employees completed the on-line ethics orientation in addition to their other training requirements.

The information below includes ethics training information from each State agency from January 1, 2023 through December 31, 2023. A comprehensive breakdown of statewide ethics training compliance reported by agency is provided at the conclusion of this report.

Statewide Agency Compliance Snapshot | January 1 – December 31, 2023

- Total number of State agencies: 384
- Number of State officers and employees reported: 319,837
- Total number of workforce members who received live ethics training: 136,913
- Percentage of employees live-trained in 2023: 43%
- Total number of employees who completed the online on-demand ethics training in 2023: 12,094
- Total number of employees who completed on-demand or live ethics training in 2023: 149,007
- Total number of employees who completed the online on-demand ethics training since its launch (October 17, 2023 - March 31, 2024): 36,587
- Total number of employees who completed **on-demand or live ethics training** from inception of requirement (July 2022) through December 31, 2023: 168,526

In addition to the statewide ethics training initiative, the Commission also administers and oversees training compliance applicable to registered lobbyists and lobbying clients beginning for the 2023-2024 biennial period. As part of the Ethics Commission Reform Act of 2022, the mandated ethics training requirement for Lobbyists (Principal, Individual, and In-House Lobbyists) expanded to include Contractual Clients and Beneficial Clients.

As of December 31, 2023, over 11,000 lobbyists and clients are required to complete the *'Ethical Standards for Lobbyists and Clients'* online training. The *Ethical Standards for Lobbyists and Clients* training is built using responsive technology that allows users to view the online course utilizing a variety of devices, including desktop computers, tablets, or mobile devices. During the fourth quarter of 2023, 445 lobbyists and lobbying clients completed training, bringing the total to 9,055 lobbyists and clients, representing an 82% overall compliance rate since the launch of the *'Ethical Standards for Lobbyists and Clients'* online training course.



2023 FOURTH QUARTERLY COMPLIANCE REPORT

Mandatory Ethics Training | Fourth Quarter 2023

The below information includes ethics training information from the fourth quarter of calendar year 2023, beginning October 1, 2023- December 31, 2023:

TOTAL NUMBER OF STATE AGENCIES:	384
Total number of State officers and employees reported as of December 31, 2023:	319,837
Total number of agencies reporting compliance statistics for the reporting period:	369 or 96%
Total number of agencies not reporting quarterly compliance statistics for the reporting period:	16 or 4.2%
Total number of State officers and employees reported as having participated in ethics training (both live and online refresher) in the reporting period:	40,285 (live) 11,728 (online) 52,013 (combined total)
Total number of State officers and employees reported as having participated in ethics training (both live and online refresher) since the inception of the expanded training requirement (July 8, 2022 through December 31, 2023):	168,526



2023 ANNUAL TRAINING STATISTICS BY AGENCY

Agency Performance for Live Training from Inception (July 8, 2022) through December 31, 2023

Total number of Officers and Employees	Total number Trained	Percentage of Employees Trained
319,837 ¹	156,440	48.9%

CETC - “Live” Ethics Training

Agency Performance from January 2023 through December 2023

Agency Name	Total # of employees	Total # of Employees Trained	% Trained
Addiction Services & Supports; Office of (OASAS)	978	913	93.35%
Adirondack Park Agency	54	54	100.00%
Aging, Office for the	87	77	88.51%
Agriculture & Markets, Department of	618	126	20.39%
Agriculture & NYS Horse Breeding Development Fund	1	1	100.00%

¹ Total number of Officers and Employees as reported in Fourth Quarter 2023 submissions from agency Ethics Officers.

Agency Name	Total # of employees	Total # of Employees Trained	% Trained
Albany Convention Center Authority	10	10	100%
Albany Municipal Water Finance Authority	5	0	0.00%
Albany Pine Bush Commission	32	0	0.00%
Albany Port District Commission	31	0	0.00%
Attorney General, Office of the (AG)	1,942	1,942	100%
Battery Park City Authority	176	163	92.61%
Board of Commissioners Pilots	2	0	0.00%
Bridge Authority, NYS	133	123	92.48%
Budget, Division of the (DOB)	301	301	100%
Buffalo & Fort Erie Public Bridge Authority	1	0	0.00%
Buffalo Fiscal Stability Authority	5	5	100%
Buffalo Municipal Water Finance Authority	unknown	0	
Cannabis Management, Office of	181	37	20.44%
Capital District Transportation Authority (CDTA)	647	10	1.55%
Central New York Regional Transportation Authority	580	345	59.48%
Central Pine Barrens Joint Planning & Policy Commission	12	4	33.33%

Agency Name	Total # of employees	Total # of Employees Trained	% Trained
Children & Family Services, Office of (OCFS)	3,088	1,131	36.63%
City University Construction Fund	6	1	16.67%
City University of New York Board of Trustees	17	13	76.47%
City University of New York Central Office (CUNY)	1,138	403	35.41%
Civil Service, Department of	369	341	92.41%
Community Supervision, DOCCS	22,790	15,448	67.78%
Comptroller, Office of the State (OSC)	2602	330	12.68%
Convention Center Operating Corporation, NY	116	38	32.76%
Correction, Commission of	43	43	100%
Council On Children and Families	26	25	96.15%
Council On the Arts, NYS	26	26	100%
Court Facilities Capitol Review Board	unknown	0	
Criminal Justice Services, Division of (DCJS)	520	515	99.04%
CUNY Baruch College	1,226	1,226	100%
CUNY Bronx Community College	1,338	522	39.01%
CUNY Brooklyn College	2,890	56	1.94%

Agency Name	Total # of employees	Total # of Employees Trained	% Trained
CUNY City College of New York	2,975	159	5.34%
CUNY College of Staten Island	1,814	822	45.31%
CUNY College of Technology, NYC	2,700	472	17.48%
CUNY Craig Newmark Graduate School of Journalism	116	11	9.48%
CUNY Graduate College	1,187	33	2.78%
CUNY Guttman Community College	237	229	96.62%
CUNY Hostos Community College	1,173	177	15.09%
CUNY Hunter College	4,011	1,512	37.70%
CUNY John Jay College	1,052	218	20.72%
CUNY Kingsborough Community College	2,313	66	2.85%
CUNY LaGuardia Community College	1,525	40	2.62%
CUNY Lehman College	1,038	1,025	98.75%
CUNY Macaulay Honors College	76	14	18.42%
CUNY Management - Lag	99	68	68.69%
CUNY Manhattan Community College	3,542	1,018	28.74%
CUNY Medgar Evers College	873	28	3.21%

Agency Name	Total # of employees	Total # of Employees Trained	% Trained
CUNY Queens College	2,648	216	8.16%
CUNY Queensborough Community College	1,498	1	0.07%
CUNY School of Labor and Urban Studies	186	59	31.72%
CUNY School of Law	218	108	49.54%
CUNY School of Professional Studies	571	263	46.06%
CUNY School of Public Health	209	153	73.21%
CUNY York College	1,222	504	41.24%
Development Authority of the North Country	102	33	32.35%
Developmental Disabilities Planning Council	37	25	67.57%
Domestic Violence; Office for the Prevention of (OPDV)	35	31	88.57%
Dormitory Authority of the State of New York (DASNY)	468	31	6.62%
Education Department, NYS (SED)	2,952	2,952	100%
Election Law Enforcement Unit	11	11	100%
Elections, State Board of (BOE)	132	102	77.27%
Empire State Development Corporation (ESD)	700	157	22.43%
Energy Research & Development Authority (NYSERDA)	437	212	48.51%

Agency Name	Total # of employees	Total # of Employees Trained	% Trained
Environmental Conservation, Department of (DEC)	3,385	3,302	97.55%
Environmental Facilities Corporation	105	105	100%
Erie County Fiscal Stability Authority	3	2	66.67%
Erie County Medical Center	4,029	3,771	93.60%
Executive Chamber Executive Department	287	279	97.21%
Financial Control Board, NYS	12	12	100%
Financial Services, Department of (DFS)	1,283	181	14.11%
Gaming Commission, NYS	393	145	36.90%
General Services, Office of (OGS)	1,696	1,696	100%
Health, Department of (DOH)	3,459	2,710	78.35%
Higher Education Services Corporation (HESC)	111	93	83.78%
Homeland Security & Emergency Services, Department of (DHSES)	1,437	551	38.34%
Housing & Community Renewal, Division of (DHCR)	1,029	121	11.76%
Hudson River Valley Greenways Community Council	5	5	100%
Hudson River-Black River Regulating District	28	28	100%
Human Rights, Division of	193	178	92.23%

Agency Name	Total # of employees	Total # of Employees Trained	% Trained
Indigent Legal Services, Office of	60	46	76.67%
Information Technology Services, Office of (ITS)	3,649	2,242	61.44%
Inspector General, Office of the (IG)	120	11	9.17%
Insurance Fund, State (SIF)	1,923	1,923	100%
Interstate Juvenile Supervision, State Council for	7	0	0.00%
Iola Fund	18	18	100%
Judicial Conduct, State Commission On	50	47	94.00%
Justice Center	532	160	30.08%
Labor Management Committee C/O OER	60	39	65.00%
Labor, NYS Department of (DOL)	3,336	3,336	100%
Lake George Park Commission	20	10	50.00%
Liquidation Bureau, NYS	114	8	7.02%
Liquor Authority	149	49	32.89%
Long Island Power Authority (LIPA)	83	49	59.04%
Medicaid Inspector General, Office of the (OMIG)	463	410	88.55%
Mental Health, Office of (OMH)	14,539	12,566	86.43%

Agency Name	Total # of employees	Total # of Employees Trained	% Trained
Metropolitan Transportation Authority (Headquarters) (MTAHQ)	72,666	4,652	6.40%
Military and Naval Affairs, Division of	391	3	0.77%
Motor Vehicles, Department of (DMV)	3,322	2,891	87.03%
MTA Inspector General's Office	69	69	100%
Municipal Water Finance Authority, NYC	10	0	0.00%
Nassau County Interim Finance Authority	12	10	83.33%
Nassau Healthcare Corporation/ Nassau University Medical Center (NIUMC)	3,582	673	18.79%
National & Community Service, Commission on	12	2	16.67%
Nelson A Rockefeller ESP Performing Arts Center Corporation	24	14	58.33%
Niagara Falls Public Water Board	110	108	98.18%
Niagara Frontier Transportation Authority (NFTA)	1,450	422	29.10%
Office of Employee Relations (OER)	80	24	30.00%
Ogdensburg Bridge & Port Authority	39	7	17.95%
Olympic Regional Development Authority	1,654	355	21.46%
Parks & Recreation, Office of	6,867	5,118	74.53%
People With Developmental Disabilities, Office for (OPWDD)	18,482	17,045	92.22%

Agency Name	Total # of employees	Total # of Employees Trained	% Trained
Police, Division of State	6,080	1,417	23.31%
Port of Oswego Authority	23	23	100%
Power Authority of the State of New York	2,645	2,236	84.54%
Public Authorities Budget Office	unknown	0	
Public Employment Relations Board (PERB)	32	32	100%
Public Service Commission (PSC)	490	490	100%
Rochester-Genesee Regional Transportation Authority	967	675	69.80%
Roosevelt Island Operating Corporation	138	23	16.67%
Roswell Park Cancer Institute	3,432	783	22.81%
Soil & Water Conservation Committee	5	5	100%
State Council of the Interstate Compact on Educational Opportunity For	8	8	100%
State University Construction Fund	138	93	67.39%
State University of New York Board of Trustees	16	2	12.50%
State, Department of (DOS)	594	165	27.78%
Statewide Financial System (SFS)	137	74	54.01%
SUNY Albany	3,507	1,557	44.40%

Agency Name	Total # of employees	Total # of Employees Trained	% Trained
SUNY Alfred College of Technology	655	478	72.98%
SUNY at Buffalo	5,279	14	0.27%
SUNY Binghamton	3,054	1,991	65.19%
SUNY Brockport	1,140	946	82.98%
SUNY Canton College of Technology	491	328	66.80%
SUNY Cobleskill College of Agriculture & Technology	494	82	16.60%
SUNY College at Buffalo	1,416	181	12.78%
SUNY College of Environmental Science & Forestry (ESF)	629	15	2.38%
SUNY Cortland	1,284	18	1.40%
SUNY Delhi College of Technology	521	195	37.43%
SUNY Downstate Medical University	3,665	57	1.56%
SUNY Empire State College (ESC)	1,212	22	1.82%
SUNY Farmingdale	1,533	1,330	86.76%
SUNY Fredonia	746	93	12.47%
SUNY Geneseo	879	300	34.13%
SUNY Maritime College	355	183	51.55%

Agency Name	Total # of employees	Total # of Employees Trained	% Trained
SUNY Morrisville	522	243	46.55%
SUNY New Paltz	1,300	1,034	79.54%
SUNY Old Westbury	697	31	4.45%
SUNY Oneonta	1,155	419	36.28%
SUNY Optometry	250	250	100%
SUNY Oswego, State University College at	1,357	298	21.96%
SUNY Plattsburgh	892	512	57.40%
SUNY Polytechnic Institute	503	290	57.65%
SUNY Potsdam	691	525	75.98%
SUNY Purchase	995	106	10.65%
SUNY Stonybrook	13,885	1,350	9.72%
SUNY System Administration	510	462	90.59%
SUNY Upstate Medical University	8,887	1,274	14.34%
Tax Appeals, Division of C/O TAX	28	18	64.29%
Taxation & Finance, Department of (TAX)	3,910	3,910	100%
Temporary & Disability Assistance, Office of (OTDA)	1,959	453	23.12%

Agency Name	Total # of employees	Total # of Employees Trained	% Trained
Thoroughbred Breeding & Development Fund Corporation	5	1	20.00%
Thruway Authority	1,759	1,450	82.43%
Transportation, Department of (DOT)	8,407	3,654	43.46%
Tug Hill Commission	13	11	84.62%
United Nations Development Corporation (UNDC)	23	5	21.74%
Utility Debt Securitization Authority	2	0	0.00%
Veterans Affairs, Division of (VA)	92	1	1.09%
Victim Services, Office of	91	70	76.92%
Workers' Compensation Board (WCB)	991	991	100%